

NOTICE OF INFORMATION PRACTICES

Right to Notice:

This notice describes how information about you may be used and disclosed and how you can get access to this information. Please review it carefully.

When you receive health care due to you or your spouse's former certified teacher position with the TRB, you entrusted our agents or us with certain personal information about yourself. We want you to know about our practices for protecting your privacy, as well as your rights and our responsibilities regarding this recorded information about you. This recorded information is known as **Protected Health Information (PHI)**. We will not use or disclose your PHI without your permission, except as described in this notice.

Revisions to the Notice:

We reserve the right to change our practices and to make the new provisions effective for all PHI we maintain. Should our information practices change, we will mail a revised notice to the address that you have supplied to us. Except when required by law, a material change to any term of the notice may be implemented prior to the effective date of the notice in which such material change is reflected.

Understanding your Health Record/Information

A record is made each time you visit a physician, or other healthcare provider. Typically this record is a legal document that contains your symptoms, examinations and test results, diagnoses, treatments, and plans for future care.

This information may be used as a:

- Basis for planning your care and treatment;
- Means of communication among the many health professionals who contribute to your care;
- Documentation of care you received;
- Means by which you can verify that services billed were actually provided;
- Tool in educating health professionals; or
- Source of information for public officials charged with improving the health of the nation.

With your authorization this information may be used:

- As a source of data for medical research;
- As a source of data for facility planning and marketing; or
- As a tool with which we can access and continually work to improved the outcomes we achieve.
- To ensure its accuracy;
- To better understand who, what, when, where and why others may access your health information; and
- To make more informative decisions when authorizing disclosures to others.

TRB will:

- Maintain the privacy of your health information;
- Provide you with a notice of our legal duties and privacy practices with respect to information we collect and maintain about you;
- Abide by the terms of this notice;
- Notify you if we are unable to fulfill a request in relation to your PHI; and
- Accommodate reasonable requests you may have to communicate health information by alternative means and/or at alternative locations. For example, rather than contacting you in writing at home, you may request we contact you at work.

USES AND DISCLOSURES

TRB is allowed by federal and state laws to disclose the *minimum necessary* private health information (PHI) for treatment, payment, or healthcare operations.

AUTHORIZATIONS

What is an Authorization?

An authorization is a document that gives TRB permission to use and disclose PHI for specific purposes. An example: To disclose PHI to someone you specified, allowing him/her to have access to and/or receive your PHI.

When Authorization is *not* Required:

An authorization is not required:

- To carry out the following:
 - Treatment,
 - Payment, or
 - Healthcare operations.
- If used to defend a legal action brought by an individual.

Authorizations requested by TRB:

If TRB needs your PHI from a healthcare provider, we may request you sign an authorization that will contain the following:

- A description of each purpose of the requested disclosure;
- A statement that TRB will not condition treatment, payment, enrollment in the health plan, or eligibility for benefits on your providing authorization for the requested use of disclosure; and
- A statement that you may refuse to sign the authorization.

NOTE: We will provide you with a copy of your signed authorization.

ACCOUNTING OF DISCLOSURES OF PHI

Your Right to an Accounting of Disclosures

You may have the right to receive an accounting of disclosures of PHI made by TRB in the six years prior to the date on which the accounting is requested, except for disclosures that:

- Were for carrying out treatment, payment and health care operations;
- We provided to you about your PHI;
- Were for the facility's directory of persons involved in your care;
- Were for national security or intelligence purposes as explained in the National Security section of this notice;
- We provided to correctional institutions or law enforcement official as explained in Law Enforcement and Correctional Institutions section of this notice;
- Occurred prior to the effective date of this notice, April 14, 2003.

Accounting of Disclosure You are Not Entitled to

TRB will not provide an accounting of Disclosures, if the PHI:

- Was not created by TRB, unless you provide a reasonable basis to believe that the person who created the PHI is no longer available to act on your request;
- Is not part of your record;
- Is Psychotherapy notes;
- Is information collected and held in reasonable anticipation, or for use in, a civil, criminal, or administrative action or proceeding; or
- Is a record that is subject to the Clinical Laboratory Improvements Amendments of 1988.

Content of the Accounting

TRB will provide you with a written accounting of disclosures for the time frame you request, for up to six years.

The accounting will include:

- The date of the disclosure;
- The name of the entity or person who received the PHI, and, if known, the address of such entity or person;
- A brief description of the PHI disclosed; or
- A brief statement of the purpose of disclosure, or a copy of their authorization.

How long should this take?

Within 60 days of receipt of your request.

ACCESSING YOUR PROTECTED HEALTH INFORMATION (PHI)**Your Right to Access Your PHI**

You have the right to access and inspect, or obtain a copy of your PHI for as long as TRB maintains the PHI. PHI that you may not access or inspect because of state and federal law are:

- Psychotherapy notes;
- Information compiled in reasonable anticipation of, or for use in a civil, criminal, or administrative action or proceeding; and
- Information subject to the Clinical Laboratory Improvement Amendments of 1988 (Title 42 CFR Part 493.3 (a)(2)).

What should you expect?

If your information is immediately available, TRB will act on your request in either of the following two ways: TRB will notify you in writing that your request to access your PHI has been:

- Granted, in whole or part; or
- Denied, in whole or part*

*NOTE: Please see “If TRB Denies your Request for Access or Amendment” for more information.

How long should this take?

Within 30 days of receipt of your request.

If Access is Granted

If access is granted:

- TRB will attempt to contact you to determine a convenient time for you to access, inspect or obtain a copy of your PHI
- TRB reserves the right to provide you with your PHI:
In paper copy; or
In summary format.
- If you wish the copied information to be mailed, TRB will request the appropriate mailing information.
- You may request access to your PHI in any format you wish and TRB will discuss formats other than a paper copy.
- TRB will discuss our fee for this request. Please see: Fees section for chargeable items.

NOTE: If TRB does not maintain the PHI that is the subject of the request, but knows where it is located, TRB will inform you of where to redirect your request.

AMENDING YOUR PROTECTED HEALTH INFORMATION

You have the Right to Amend

You have the right to request that TRB amend your PHI or a record about you from a designated record set for as long as TRB maintains the PHI.

Amendment Guidelines

If TRB grants the requested amendment, in whole or in part, TRB will make the amendment and inform you that the amendment has been accepted and notify you of the relevant persons with which the amendment needs to be shared.

If the amendment, in whole or in part, has been accepted, TRB will make a reasonable effort to inform you and provide the amendment within a reasonable time frame. Individuals who may receive this amendment are:

- Persons identified by you as having received your PHI and in need of the amendment; or
- Persons, including business associates of TRB who have previously received your PHI and have relied on the information for your benefit.

What should you expect?

If your information is immediately available, TRB will act on your request in either of the following two ways. TRB will notify you in writing that your request to amend your PHI has been:

- Granted, in whole or in part;
- Denied, in whole or in part. *

*NOTE: Please see If TRB Denies Your Request for Access of Amendment for more information.

How long will this take?

TRB will act on your request of an amendment no later than 60 days after written receipt of your request.

Requesting Access, Accounting of Uses and Disclosures, and Amendments**Requests**

You may request access, an accounting of uses and disclosures, or amendments to your PHI. You must make this request in writing to the following location:

HIPAA Privacy Officer
State Teachers Retirement Board
21 Grand Street
Hartford, CT 06106-1541

Your written, signed, request must include your:

- Name;
- Address;
- Telephone Number;
- Social Security Number;
- Other names used, if applicable, for example: your maiden name;
- Date of Birth;
- Date of care;
- Copy of Photo Identification with signature;
- Subject of the request; and
- Reason for your request of this information.

*NOTE: If photo identification with signature is not available, a notarized request is acceptable.

Denial for Access, Accounting of Uses and Disclosures, and Amendments

Automatic Grounds for Denial

Your request for access, accounting of uses and disclosures, and amendments will automatically be denied if it is subject to any of the following:

- It was not created by TRB, unless you provide a reasonable basis to believe that the person who created the PHI is no longer available to act on your requested amendment;
- It is not part of your record;
- It is information compiled in reasonable anticipation, or for use in, a civil, criminal, or administrative action or proceeding;
- If the information is subject to the Clinical Laboratory Improvement Amendments of 1988 (Title 42 CFR Part 493.3(a)(2));
- If PHI is gathered in the course of research and you have agreed to denial of access until the completion of research;
- If PHI was obtained from someone other than an employee of TRB under a promise of confidentiality and TRB feels this may reveal the source of the information;
- If a licensed healthcare professional has determined, in the exercise of professional judgment, that the request is reasonably likely to endanger the life or physical safety of you or another person;
- If the PHI makes reference to another person, and a licensed healthcare professional has determined, in the exercise of professional judgment that the request is reasonably likely to cause substantial harm to such other person;
- If the request is made by a personal representative you have assigned, and a licensed healthcare professional has determined, in the exercise of professional judgment, that provision of access to such personal representative is reasonable likely to cause substantial harm to you or another person; or
- If we are acting under the direction of a correctional institution, we will deny an inmate's request to obtain a copy of PHI.

Automatic Grounds for Denial of Amendment

TRB *will* deny your request for the amendment, if it has determined that your PHI is accurate and complete.

If TRB Denies your Request for Access or Amendment

If TRB denies your access or amendment, in whole or in part, to your PHI, TRB will conduct the following actions.

1. Give you a timely written denial that will let you know why your request was denied.
2. Grant your request to the information you requested except for what was denied.
3. Inform you if you have any rights for a review of the denial and a description of how you may make a complaint to TRB or the Secretary of the Department of Health and Services.

NOTE: TRB will also include in the written notice, the contact's name, title and telephone number for more information to address or file a complaint with TRB.

If You Disagree with TRB's Denial of Your Request

If you disagree with TRB's denial of your request:

1. You may provide a written statement disagreeing with the denial of all or part of a request and the basis of such an argument.
2. You have the right to have the denial reviewed. TRB will provide a licensed healthcare professional, who did not participate in the original denial to review your request for review of the denial.
3. TRB will provide a written notice to you of the review and findings and other actions, if any required, taken by TRB.

TRB may prepare a written rebuttal to your statement of disagreement. Whenever such a rebuttal is prepared, TRB will provide you with a copy.

Further Disclosures of Amendment Requests

If you have requested an amendment of your PHI, TRB will either append all materials related to this request or provide an accurate summary of any such information, with any disclosure of the PHI.

ENTITLEMENTS**Right to Notice**

You have the right to receive a copy of this notice.

Alternative Means to Receive Your PHI

You have the right to receive confidential communications of your PHI. TRB will accommodate your reasonable requests to receive your PHI by alternative means or at an alternative location if so desired.

These alternatives may include:

- Mail ;
- Phone ;
- Fax ;
- Home; or
- Work, etc.

NOTE: The request for the confidential alternative format or location must be in writing.

Requesting Restrictions to Your PHI

You have the right to request restrictions of uses and disclosures of your PHI.

However, if we should agree to your request, *and* you are in need of emergency treatment, TRB may use the restricted PHI and/or may disclose such information to the individuals who may require this information in performing care.

Requesting to View Policies and Procedures Related to the Use of PHI

TRB maintains Policies and Procedures for processing and handling your PHI. You may submit a written request to review these Policies or Procedures.

FEES

Fees

TRB may impose a reasonable cost based fee for:

- Copying, including cost of supplies and labor;
- Postage, and/or
- Preparing an explanation or summary of the requested PHI

COMPLAINT PROCESS

Complaint Directed to TRB

If you believe your privacy rights have been violated, you may direct your complaint to TRB by contacting:

HIPAA Privacy Officer
Teacher's Retirement Board
12 Grand Street
Hartford, CT 06106-1541

Complaints may be filed by any means of communication. You will not be retaliated against for filing a complaint.

If You Feel TRB is NOT Cooperating With You

If you feel TRB has not complied with Title 45 CFR Parts 160 and 164 then you may address your complaint to the Secretary of the Department of Health and Human Services.

- A complaint must name the entity and describe the acts or omissions believed to be in violation of the applicable requirements of part 160 or the applicable standards, requirements, and implementation of specifications of subpart E of part 164.
- A complaint must be filed within 180 days of when the complainant knew or should have known that the act or omission complained occurred, unless this time limit is waived by the Secretary for good cause shown.
- The Secretary may prescribe additional procedures for the filing of complaints as well as the place and manner of filing, by notice in the Federal Register.